

United States Department of the Interior

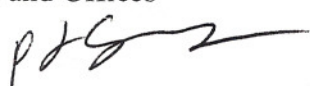
OFFICE OF THE ASSISTANT SECRETARY
POLICY, MANAGEMENT AND BUDGET
Washington, DC 20240



NOV 21 2005

Memorandum:

To: Heads of Bureaus and Offices

From: P. Lynn Scarlett 
Assistant Secretary – Policy, Management and Budget

Subject: Fiscal Year 2005 Reporting on Implementation of the Resource Conservation and Recovery Act, Section 6002 and Other Environmental Purchasing Requirements
Reply by: February 28, 2006

The Office of Management and Budget and the Office of the Federal Environmental Executive are requiring all Federal agencies to report on waste prevention, purchase of recycled-content products designated by the Environmental Protection Agency, and use of environmentally-preferable products. Please see the attached memorandum dated October 13, 2005, with the outline of the report call directed to bureaus and offices.

As the Department of the Interior's Agency Environmental Executive, I am asking for you to help ensure our report is timely and represents all the good work we have done in these areas. I realize this report will require effort to collect quantitative data from many management disciplines, including acquisition, facilities, and environmental management.

Your report should follow the format attached, and should be submitted in an electronic format, Word file format, to both the Office of Acquisition and Property Management and the Office of Environmental Policy and Compliance **by February 28, 2006.**

For assistance, on the acquisition-related portions of the report (Sections 1, 2, 3h, 3i, and 4) the point of contact is Pia Scott, Office of Acquisition and Property Management. For the waste management and environmental auditing portions of the report (Section 3 a-g, 4c, 4d(i), and 4d(ii)), the point of contact is Heather Davies, Office of Environmental Policy and Compliance. Ms. Scott can be reached at (202) 208-6321 and Ms. Davies can be reached at (202) 208-7884.

Attachment

cc: Assistant Secretaries
Acquisition Management Partnership
Environmental Management Systems Council



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

OFFICE OF FEDERAL
PROCUREMENT POLICY

October 13, 2005

MEMORANDUM FOR FEDERAL AGENCY ENVIRONMENTAL EXECUTIVES
AND AGENCY SENIOR PROCUREMENT EXECUTIVES

FROM:

Robert A. Burton
Associate Administrator
Office of Federal Procurement Policy

Edwin Piñero
Federal Environmental Executive
Office of the Federal Environmental Executive

SUBJECT:

FY 2005 Reporting on Implementation of the Resource
Conservation and Recovery Act, Section 6002, and Other
Environmental Purchasing Requirements

Section 6002 of the Resource Conservation and Recovery Act (RCRA) requires the Office of Federal Procurement Policy (OFPP) to report to Congress every two years on the actions taken by Federal agencies to implement the statute. Executive Order (E.O.) 13101 requires agencies to track and report to the Office of the Federal Environmental Executive (OFEE) their purchases of Environmental Protection Agency (EPA)-designated recycled content products and implementation of environmentally preferable purchasing programs.

OFPP and OFEE have developed the attached survey to collect the information required to meet the reporting required by RCRA and E.O. 13101. The survey is similar to the fiscal year (FY) 2002, 2003, and 2004 surveys. All Federal agencies must complete the survey.

The indicator items selected for the FY 2004-2005 report by the White House Work Group on Tracking and Reporting are the same as those that were reviewed in the FY 2002-2003 report. They are:

- | | |
|-------------------------------|------------------------------------|
| 1. sanitary tissue products | 6. traffic barricades |
| 2. toner cartridges | 7. re-refined lubricating oil, and |
| 3. concrete | 8. signage. |
| 4. landscaping timbers | |
| 5. park benches/picnic tables | |

Each Federal agency must report on purchases of these eight items obtained from sources other than a Federal source of supply, such as the General Services Administration and

the Defense Logistics Agency. Purchases made from a Federal Supply Source will be reported separately. Agencies are also required to report on contract compliance information reported through the Federal Procurement Data System (FPDS), solid waste prevention, recycling and waste minimization programs and practices, management controls, and goals for training, auditing, purchasing and waste diversion.

In addition, agencies are required to respond to several qualitative questions about their efforts to facilitate biobased product purchasing as required by Section 9002 of the Farm Security and Rural Investment Act of 2002 (FSRIA). These additional reporting areas will provide an indication of agencies' internal infrastructure and management controls for ensuring and monitoring compliance with RCRA Section 6002 and future compliance with FSRIA Section 9002.

The Department of Agriculture (USDA) recently proposed the first group of biobased products for Federal agencies to purchase under section 9002. While USDA is finalizing this group of products, OFPP and OFEE strongly encourage agencies to continue efforts to initiate biobased preference purchasing programs by developing policies, procedures, product testing, and processes appropriate to the agency. Agencies should:

- incorporate biobased product requirements into their existing Affirmative Procurement Plans (APP) or green purchasing plans;
- provide outreach and training for employees on the biobased product purchasing requirements; and
- begin purchasing those biobased products that meet their mission requirements and performance standards.

Agencies should keep the following points in mind as they complete the survey.

FPDS Data. Beginning in FY 2002, all agencies were required to report through the FPDS system, information on their purchases of EPA-designated products. Agencies should retrieve and review their own agency data on a quarterly or periodic basis as part of their internal monitoring required by RCRA.

Solid Waste Prevention, Recycling and Waste Minimization. The survey is intended to help gauge whether agencies have instituted new or improved solid waste prevention practices, recycling programs, or waste minimization goals and practices. Agencies must also report whether or not they have initiated or participated in any new pilots to purchase environmental preferable products or services, as required by E.O. 13101.

Management Controls. The survey addresses affirmative procurement plans, training, auditing, and measurement tools. Questions request the status of agencies' APPs and policies, as required by RCRA Section 6002. RCRA requires agencies to update these plans regularly, and current agency plans should include all 60+ EPA-designated recycled content products.

Training. As training is key to awareness and implementation, the survey requests information on agencies' efforts to train employees, especially acquisition personnel. It also requests information on whether an agency uses internal or outside sources for training, the percentage of employees that have been trained, and how procurement requirements are incorporated into purchase and travel card training. During FY 2005, an on-line green purchasing plan was developed and hosted on the Office of Personnel Management's *GoLearn* electronic learning site. OPM will provide data on the number of each agency's personnel that successfully completed this course.

Auditing. Agencies are asked to provide information on their audit activities to monitor compliance with green purchasing requirements.

Agency Goals. E.O. 13101 directed agencies to establish goals for solid waste diversion, procurement of recycled content products, and the use of environmentally preferable products and services. The survey asks agencies if they have established goals in these areas.

Biobased Purchasing. Agencies are asked to provide information on biobased purchasing pilots conducted in 2005, sources of biobased products purchased training efforts, and new language and/or goals included in an APP to facilitate a biobased procurement preference program.

Each agency should complete and return the survey by March 17, 2006 to OFPP, attention: Mr. Jim Daumit, adaumit@omb.eop.gov, Fax # 202-395-5105; and to OFEE, attention: Ms. Dana Arnold, arnold.dana@ofee.gov. Electronic copies are preferred, but hard copies can be mailed to OFEE, 1200 Pennsylvania Avenue, NW, Mail Code 1600S, Washington, DC 20460.

Attachment

Date Due: February 28, 2006

Date Prepared: _____

**RESOURCE CONSERVATION AND RECOVERY ACT (RCRA)
FARM SECURITY AND RURAL INVESTMENT ACT (FSRIA)
EXECUTIVE ORDER 13101**

Bureau or Office Report for Fiscal Year 2005

Bureau or Office _____

Bureau/Office Contact _____

Contact Telephone Number _____

Contact E-Mail Address _____

1. Federal Procurement Data System (FPDS) Data

- a) How many contracting actions did your Bureau/Office complete in FY 2005?

- b) In FY 2005, how many contracting actions, in data element 8K of the FPDS data, indicated whether EPA-designated items would be acquired? _____
- c) Provide the number of contracting actions with data for each code, A-E, in data element 8K. These codes indicate whether the EPA-designated products must contain the required minimum recycled content, the justification for not requiring recycled content products, or that no EPA-designated products will be acquired under the contract:
Code A (all EPA-designated products must contain the required minimum recycled content) _____
Code B (availability) _____
Code C (price) _____
Code D (performance) _____
Code E (no EPA-designated products acquired) _____
- d) In the FPDS data, how many contracting actions had a code (A or B) in data element 8L? _____
- e) How has the Bureau/Office reviewed the FY 2005 FPDS data for compliance assessment and/or trend analyses?

- f) Please describe findings, changes, and/or actions that were a direct result of the assessments or analyses above.

2. Indicator Items for EPA-Designated Recycled Content Products

The General Services Administration and the Defense Logistics Agency will provide data for Bureau/Office purchases directly from them. Please provide amounts for your Bureau/Office's purchases from other sources, including GSA schedules contractors and your service contractors, including construction contractors, fleet maintenance contractors, and facilities maintenance contractors.

a) **Paper: Commercial Sanitary Tissue Products**

- i) Does your Bureau/Office purchase this item (directly or through contracts)? **Yes** ___ **No** ___ If no, skip to next section.
- ii) Total dollar amount¹ of these products purchased² by your Bureau/Office from sources *other than GSA* in FY 2005 \$_____.
- iii) Dollar amount of these products containing recovered materials³ purchased by your Bureau/Office from sources *other than GSA* in FY 2005 \$_____.
- iv) If this product is purchased using a Bureau/Office specification, does that specification require the use of recovered materials? **Yes** ___ **No** ___ **Not Applicable** ___
- v) Were there any technical impediments to increasing the purchase of this item by your Bureau/Office in FY 2005? **Yes** ___ **No** ___ If yes, please describe the impediment(s).

¹ "Total amount" equals the amount of product without recovered materials plus the amount of product with recovered materials.

² Within this document, the term purchased includes both direct government purchases, as well as procurement of products through government contracts.

³ The products designated by EPA are commonly referred to as "CPG-items" or "recycled content products." RCRA refers to them as "products containing recovered materials," which is the term used in this reporting document unless a more specific term, such as re-refined oil or retread tires, is used.

b) Non-Paper Office Products: Toner Cartridges

- i) Does your Bureau/Office purchase this item (directly or through contracts)? **Yes** ___ **No** ___ If no, skip to next section.
- ii) Total dollar amount of these products purchased by your Bureau/Office from sources *other than GSA or DLA* in FY 2005 \$_____.
- iii) Dollar amount of these products containing recovered materials purchased by your Bureau/Office from sources *other than GSA or DLA* in FY 2005 \$_____.
- iv) If this product is purchased using a Bureau/Office specification, does that specification require the use of recovered materials? **Yes** ___ **No** ___ **Not Applicable** ___
- v) Were there any technical impediments to increasing the purchase of this item by your Bureau/Office in FY 2005? **Yes** ___ **No** ___ If yes, please describe the impediment(s).

c) Construction Products: Concrete

- i) Does your Bureau/Office purchase concrete (directly or through contracts, e.g., construction contracts)? **Yes** ___ **No** ___ If no, skip to next section.
- ii) Total amount of concrete purchased and/or used by your Bureau/Office in FY 2005 \$_____ and/or _____ cubic yards, and/or total number of contracts awarded that required the use of concrete _____.
- iii) Amount of concrete containing coal fly ash and/or ground granulated blast furnace slag purchased and/or used by your Bureau/Office in FY 2005 \$_____ and/or _____ cubic yards, and/or total number of contracts awarded that required the use of concrete containing coal fly ash or ground granulated blast furnace slag _____.
- iv) If this product is purchased using a Bureau/Office specification, does that specification require the use of recovered materials? **Yes** ___ **No** ___ **Not Applicable** ___
- v) Were there technical impediments to increasing the amount of concrete containing coal fly ash and/or ground granulated blast furnace slag purchased by your Bureau/Office in FY 2005? **Yes** ___ **No** ___ If yes, please describe the impediment(s).

d) Landscaping Products: Landscaping Timbers

- i) Does your Bureau/Office purchase this item (directly or through contracts or other mechanisms)? **Yes** ___ **No** ___ If no, skip to next section.
- ii) Total dollar amount of these products purchased by your Bureau/Office in FY 2005 \$_____.
- iii) Dollar amount of these products containing recovered materials purchased by your Bureau/Office in FY 2005 \$_____.
- iv) If this product is purchased using a Bureau/Office specification, does that specification require the use of recovered materials? **Yes** ___ **No** ___ **Not Applicable** ___
- v) Were there any technical impediments to increasing the purchase of this item by your Bureau/Office in FY 2005? **Yes** ___ **No** ___ If yes, please describe the impediment(s).

e) Park and Recreation Products: Park Benches and Picnic Tables

- i) Does your Bureau/Office purchase this item (directly or through contracts or other mechanisms)? **Yes** ___ **No** ___ If no, skip to next section.
- ii) Total dollar amount of these products purchased by your Bureau/Office in FY 2005 \$_____.
- iii) Dollar amount of these products containing recovered materials purchased by your Bureau/Office in FY 2005 \$_____.
- iv) If this product is purchased using a Bureau/Office specification, does that specification require the use of recovered materials? **Yes** ___ **No** ___ **Not Applicable** ___
- v) Were there any technical impediments to increasing the purchase of this item by your Bureau/Office in FY 2005? **Yes** ___ **No** ___ If yes, please describe the impediment(s).

f) Transportation Products: Traffic Barricades

- i) Does your Bureau/Office purchase this item (directly or through contracts or other mechanisms)? **Yes** ___ **No** ___ If no, skip to next section.
- ii) Total dollar amount of these products purchased by your Bureau/Office in FY 2005 \$_____.

- iii) Dollar amount of these products containing recovered materials purchased by your Bureau/Office in FY 2005 \$_____.
- iv) If this product is purchased using a Bureau/Office specification, does that specification require the use of recovered materials? **Yes** ___ **No** ___ **Not Applicable** ___
- v) Were there any technical impediments to increasing the purchase of this item by your Bureau/Office in FY 2005? **Yes** ___ **No** ___ If yes, please describe the impediment(s).

g) Vehicular Products: Re-refined Oil

- i) Does your Bureau/Office purchase this item (directly or through contracts or other mechanisms)? **Yes** ___ **No** ___ If no, skip to next section.
- ii) Total dollar amount of these products purchased by your Bureau/Office in FY 2005 \$_____.
- iii) Dollar amount of these products containing recovered materials purchased by your Bureau/Office in FY 2005 \$_____.
- iv) If this product is purchased using a Bureau/Office specification, does that specification require the use of recovered materials? **Yes** ___ **No** ___ **Not Applicable** ___
- v) Were there any technical impediments to increasing the purchase of this item by your Bureau/Office in FY 2005? **Yes** ___ **No** ___ If yes, please describe the impediment(s).

h) Miscellaneous Products: Signage

- i) Does your Bureau/Office purchase this item (directly or through contracts or other mechanisms)? **Yes** ___ **No** ___ If no, skip to next section.
- ii) Total dollar amount of these products purchased by your Bureau/Office in FY 2005 \$_____.
- iii) Dollar amount of these products containing recovered materials purchased by your Bureau/Office in FY 2005 \$_____.
- iv) If this product is purchased using a Bureau/Office specification, does that specification require the use of recovered materials? **Yes** ___ **No** ___ **Not Applicable** ___
- v) Were there any technical impediments to increasing the purchase of this item by your Bureau/Office in FY 2005? **Yes** ___ **No** ___ If yes, please

describe the impediment(s).

3. **Solid Waste Prevention, Recycling, and Other E.O. 13101 Requirements**

- a) Did you institute new, substantially improved, or updated solid waste prevention practices in FY 2005? **Yes** ____ **No** ____ . Please provide an explanation of your response.

- b) Does your Bureau/Office have sites or facilities with composting programs? **Yes** ____ **No** ____ . If yes, how many facilities or sites? ____ Estimate the total weight of materials diverted to composting: ____ tons.

- c) What percentage of offices/sites operated by your Bureau/Office have an active office products recycling program? ____ of ____ sites, which is ____ percent of offices/sites.

- d) What percentage of residential housing operated by your Bureau/Office have an active household products recycling program? ____ of ____ sites, which is ____ percent of housing. **Not Applicable** ____

- e) What percentage of demolition projects managed by and/or contracted by your Bureau/Office includes the recovery of construction materials? ____ of ____ projects, which is ____ percent of demolition projects. **Not Applicable** ____

- f) What percentage of the total solid waste⁴ generated by your Bureau/Office was diverted to recycling? ____ of ____ metric tons, which is ____ percent.

- g) Does your Bureau/Office have an internal awards program in accordance with Executive Order 13101, Section 802? **Yes** ____ **No** ____ Please provide details for your response, of if the response is no, please explain why not.

- h) In FY 2005, did your Bureau/Office participate in a pilot project to purchase environmentally preferable products or services per the requirements of E.O. 13101, sections 503(b) and 601(c)? **Yes** ____ **No** ____ Please provide details for

⁴ "Solid waste" refers to municipal solid waste as defined by EPA. Please indicate if your Bureau/Office is including other materials, such as construction and demolition debris.

your response. _____

- i) In FY 2005, did your Bureau/Office purchase or test any biobased products, other than biobased fuels? **Yes** ____ **No** ____ Please provide details for your response, including the source(s) of the products (e.g., GSA schedule, DLA, commercial source, support services contractor).

- j) Is your Bureau/Office using green cleaning products or services at any of your facilities, including facilities managed by GSA and leased facilities? **Yes** ____ **No** ____
If yes, please elaborate.

4. **Management Controls**

a) **Affirmative Procurement Policy**

- i) Does your Bureau/Office have a documented policy or procedure for the implementation of the affirmative procurement program (APP) required by section 6002 of RCRA? **Yes** ____ **No** ____
- ii) Does the Bureau/Office policy define responsibility for:
- Conducting awareness training? **Yes** ____ **No** ____
 - Incorporating APP requirements into specifications and contracts? **Yes** ____ **No** ____
 - Establishing and measuring progress toward APP objectives? **Yes** ____ **No** ____
 - Reporting progress? **Yes** ____ **No** ____
 - Management review? **Yes** ____ **No** ____
- If the answer to any question is no, please explain why not. _____

- iii) Does your Bureau/Office have a requirement to routinely update the affirmative procurement policy? **Yes** ____ **No** ____ If so, is the APP policy reviewed/updated in accordance with this plan? **Yes** ____ **No** ____ Has the Bureau/Office affirmative procurement policy been updated within the past three years (i.e., it incorporates EPA's CPG 3 and CPG 4 product designations)? **Yes** ____ **No** ____
- iv) Has your policy, procedure, or plan been amended to implement the

procurement of biobased products as required by section 9002 of the Farm Security and Rural Investment Act of 2002? **Yes** ____ **No** ____

- v) Please attach a copy of, or provide the URL for, the website for your Bureau/Office APP policy, if it has changed since the FY 2004 report.

b) Training

- i) Who is responsible for conducting training of Bureau/Office personnel with respect to the buy-recycled requirements?

- ii) How many acquisition personnel have documented APP training within the past three years? _____ of _____ personnel, which is _____ percent.

- iii) Is training provided by Bureau/Office personnel, an outside source (e.g., Defense Acquisition University's contracting officer training courses), or both?

- iv) What percentage of purchase cardholders have documented APP training within the past three years, as required by Executive Order 13101? _____ of _____ personnel, which is _____ percent.

- v) Who provides the training to purchase cardholders? _____

- vi) How is training of purchase card users documented? _____

- vii) Has your Bureau/Office begun training about biobased products procurement? **Yes** ____ **No** ____ If yes, who provided the training?

c) Auditing

- i) What percentage of Bureau/Office facilities conducted and documented contracting and/or environmental audits⁵ for APP compliance during this reporting period? _____ percent

- ii) Does the Bureau/Office conduct trend analysis of audit, training, and FPDS data to assess APP program effectiveness? **Yes** ____ **No** ____

- iii) What types of trends are realized as a result of findings from these audits?

⁵ Includes internal, corporate, external, or other audits

- iv) Are audit findings reported to senior facility management? **Yes** ____
No ____
- v) Does senior facility management track corrective actions from these audit findings? **Yes** ____ **No** ____
- vi) Provide a copy of, or the URL for, the website for your Bureau/Office APP audit protocol, procedure, or other similar program document, if you did not provide it in your FY 2004 report.

d) Bureau/Office Goals

- i) As required by E.O. 13101, what is your Bureau/Office's goal for solid waste diversion by 2005? _____ By 2010? _____
- ii) What is your Bureau/Office's current recycling or diversion rate?

- iii) What is your Bureau/Office's goal to increase the procurement of EPA-designated recycled content products?

- iv) As required by E.O. 13101, does your Bureau/Office have a goal for increasing the use of environmentally preferable products? **Yes**_____
No_____ If yes, what is the goal? _____ How are you measuring progress toward the goal?

- v) Has your Bureau/Office established a goal for purchases of biobased products? **Yes** ____ **No** ____